

REMARKS

In view of the above amendment and the following discussion, the Applicant submits that none of the claims now pending in the application are unpatentable or anticipated under the provisions of 35 U.S.C. §§ 112 and 102. Thus, the Applicant believes that all of these claims are now in allowable form.

I. IN THE DRAWINGS

The Examiner objected to the drawings. The Applicant herein provides a replacement sheet for FIG. 1. The Applicant submits that the addition of reference numeral 122 and the link between endpoints 105 and 103 in FIG. 1 is supported by the specification on at least page 9, table 2. As such, the Applicant respectfully requests the objection be withdrawn.

II. IN THE SPECIFICATION

The Examiner objected to the specification asserting that the title is not descriptive. Responsive to the Examiner, the Applicant herein amends the title of the specification as suggested by the Examiner. As such, the Applicant requests the objection be withdrawn.

In addition, the Applicant herein amends paragraphs [0008] and [0009] and add paragraph [0009.1] to insert the brief description of FIG. 3. Paragraph [0024] is also amended as FIG. 1 is amended to illustrate circuits 121 and 122. The Applicant submits that no new matter is added.

III. REJECTION OF CLAIMS 3, 13 AND 18 UNDER 35 U.S.C. § 112

The Examiner rejected claims 3, 13 and 18 as being unpatentable under 35 U.S.C. §112, second paragraph for being indefinite. Specifically, the Examiner asserts that the limitation “minimizing an objective function” is unclear. Responsive to the Examiner the Applicant herein amends claims 3, 13 and 18 to remove the term “objective”. As such, the Applicant respectfully submits that claims 3, 13 and 18 now fully satisfy the requirements of 35 U.S.C. § 112 and requests the rejection be withdrawn.

IV. REJECTION OF CLAIMS 1, 10-11, 15-16 AND 20 UNDER 35 U.S.C. §102

The Examiner rejected claims 1, 10-11, 15-16 and 20 as being anticipated by Benmohamed, et al. (U.S. Patent No. 6,795,399, hereinafter referred to as "Benmohamed").

Responsive to the Examiner, the Applicant herein cancels claims 1, 10-11, 15-16 and 20 without prejudice. The Applicant is not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. The Applicant reserves the right to file one or more continuation applications to continue prosecution of any of the canceled claims. Thus, the present rejection with regard to claims 1, 10-11, 15-16 and 20 is now moot.

V. REJECTION OF CLAIMS 2, 6, 8, 12, 14, 17 AND 19

The Examiner rejected claims 2, 6, 8, 12, 14, 17 and 19 as being unpatentable over Benmohamed in view of Ngi, et al. (U.S. Patent Publication No. 2003/0158765, hereinafter referred to as "Ngi").

Responsive to the Examiner, the Applicant herein cancels claims 2, 6, 8, 12, 14, 17 and 19 without prejudice. The Applicant is not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. The Applicant reserves the right to file one or more continuation applications to continue prosecution of any of the canceled claims. Thus, the present rejection with regard to claims 2, 6, 8, 12, 14, 17 and 19 is now moot.

VI. ALLOWABLE SUBJECT MATTER

The Applicant thanks the Examiner for indicating that claims 4-5, 7 and 9 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims. Responsive to the Examiner, the Applicant has

amended claims 4-5, 7 and 9 to include all of the limitations of the respective independent claims and all additional intervening claims. As such, the Applicant respectfully submits that claims 4-5, 7 and 9 are now in condition for allowance and request the objection be withdrawn.

In addition, the Applicant thanks the Examiner for indicating that claims 3, 13 and 18 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112. The Applicant believes that the rejections to claims 3, 13 and 18 under 35 U.S.C. § 112 were overcome. As such, the Applicant believes that claims 3, 13 and 18 are also allowable.

Conclusion

Thus, the Applicant submits that all of these claims now fully satisfy the requirements of 35 U.S.C. §§ 112 and 102. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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